



October 26, 2016

New Wine in Old Bottles? Title IX and Transgender Identity

Time: 12:00pm

Location: Gittis 214, Haaga Classroom

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in all educational activities at publicly funded institutions. In 2014 and 2016, non-legal binding guidelines issued by the U.S. Department of Education instructed public schools to treat transgender students consistent with their gender identity in academic life. The Federalist Society, in conjunction with Lambda Law, is excited to host Professor James Blumstein of Vanderbilt Law and Penn Law's very own Professor Tobias Wolff to discuss this issue of Title IX and gender identity.

Professors Blumstein and Wolff will discuss whether it is compatible with Title IX to allow individuals to determine their own sex without a societal role in defining the parameters of sex identity. Professor Blumstein argues that the sex segregation regime of Title IX is analytically inconsistent with a regime of self-definition of sex, while also arguing that state and local laws that entirely preclude sex transitioning are baseless. Professor Blumstein encourages us as a society to discuss how to balance the complex issues at stake, not stuff these new issues (new wine) into the old bottle of Title IX. Professor Wolff will offer his own thoughts on the matter, which hew closer to the government's position that gender identity is a fundamental aspect of sex and of sex discrimination.

Lunch will be provided.



Contact Info:

Jack Heyburn

jheyburn@law.upenn.edu